

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, : NO. 3:16-CR-194
:
v. : (Judge Richard Caputo)
:
FUHAI LI, :
Defendant :

MOTION IN LIMINE TO PRECLUDE EVIDENCE FROM TRIAL

AND NOW COMES, the Defendant, Fuhai Li, by and through his attorneys, Michael E. Weinstein, Esquire, and William Ruzzo, Esquire, and moves in Limine that this Honorable Court should not allow the Government to introduce evidence related to the following:

1. Any information or testimony from any pharmacies about the Defendant's prescriptions which were not related to the patients in the superseding indictment.
2. Prescriptions refused by Walgreens pharmacies based on their own policy in the affidavit.
3. A schedule 2 prescription monitoring report (PMP) from the Pennsylvania Office of Attorney General in the affidavit.
4. Express Script (A national mail order Pharmacy)'s report, description and ranking of the Defendant's prescription in Neurology, both statewide and nationally. Since Dr. Li is a Pain Management Specialist as well as a Neurologist, this ranking is misleading.
5. Local Pharmacies (Rite-Aid, Medicine Shoppe, Wal-Mart, and Aliton)'s reports and statements, and their distributor reports in automated reporting and consolidated ordering system. (ARCOS).
6. Local pharmacy Aliton pharmacy's order from the Controlled Substance Ordering System.
7. CVS pharmacy report and data about the Defendant's prescriptions.

WHEREFORE, this Court on the facts and authority set forth in this Motion and in the accompanying Memorandum of Law should not allow the Government to introduce the above evidence into trial.

Respectfully submitted:

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CERTIFICATE OF SERVICE

We, Michael E. Weinstein, Esquire, of Weinstein, Zimmerman & Ohliger, and William Ruzzo, Esquire, hereby certify that on the 8th day of March, 2018, we caused the foregoing **MOTION IN LIMINE TO PRECLUDE EVIDENCE FROM TRIAL** via the Court's ECF system on all counsel of record as authorized under Federal Rule 5(b)(2)(E) and local rule 5.6 of the United States District Court for the Middle District of Pennsylvania. We further certify that all counsel of record in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system:

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